

ASSEMBLY BILL

No. 18

**Introduced by Assembly Members Leno
(Coauthors: Assembly Members Goldberg, Hancock, Kehoe,
Koretz, Laird, and Steinberg)**

December 2, 2002

An act to amend Section 12993 of the Government Code, relating to civil rights.

LEGISLATIVE COUNSEL'S DIGEST

AB 18, as introduced, Leno. Civil rights: discrimination.

The Fair Employment and Housing Act states the intent of the Legislature to occupy the field of regulation of discrimination in employment and housing encompassed by its provisions, exclusive of all other laws banning discrimination in employment and housing by any city, city and county, county, or other political subdivision of the state, except as specified.

This bill would instead provide that nothing in the act shall be construed to prohibit a city, city and county, county, or other political subdivision of the state from providing or maintaining greater protections against discrimination than those provided by the act.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12993 of the Government Code is
2 amended to read:

1 12993. (a) The provisions of this part shall be construed
 2 liberally for the accomplishment of the purposes of this part.
 3 Nothing ~~contained~~ in this part shall be deemed to repeal any of the
 4 provisions of the *Unruh Civil Rights Law Act (Section 51 of the*
 5 *Civil Code)* or of any other law of this state relating to
 6 discrimination because of race, religious creed, color, national
 7 origin, ancestry, physical disability, mental disability, medical
 8 condition, marital status, sex, age, or sexual orientation, unless
 9 those provisions provide less protection to the enumerated classes
 10 of persons covered under this part.

11 (b) Nothing ~~contained~~ in this part relating to discrimination in
 12 employment on account of sex or medical condition shall be
 13 deemed to affect the operation of the terms or conditions of any
 14 bona fide retirement, pension, employee benefit, or insurance
 15 plan, provided the terms or conditions are in accordance with
 16 customary and reasonable or actuarially sound underwriting
 17 practices.

18 (c) ~~While it is the intention of the Legislature to occupy the~~
 19 ~~field of regulation of discrimination in employment and housing~~
 20 ~~encompassed by the provisions of this part, exclusive of all other~~
 21 ~~laws banning discrimination in employment and housing by any~~
 22 ~~city, city and county, county, or other political subdivision of the~~
 23 ~~state, nothing contained~~ *Nothing in this part shall be construed to*
 24 *prohibit a city, city and county, county, or other political*
 25 *subdivision of this state from providing or maintaining greater*
 26 *protections against discrimination than those provided by this*
 27 *part, but any law of a city, city and county, county, or other political*
 28 *subdivision of the state that purports to require or permit any*
 29 *action that would be a discriminatory practice under this part*
 30 *shall, to that extent, be invalid. Nothing in this part shall be*
 31 construed, in any manner or way, to limit or restrict the application
 32 of Section 51 of the Civil Code.

